



Daniel Pulecio-Boek  
Tel 202.331.3117  
pulecioboekd@gtlaw.com

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Via ECF

Hon. P. Kevin Castel  
United States District Court, Southern District of New York  
500 Pearl Street  
New York, New York 10007

Grupo Cinemex is  
free to make the  
redactions permitted by  
Rule 5.2(a), Fed.R.Civ.P.  
Application otherwise  
denied for failure to  
demonstrate satisfaction  
of the Lugosch standard.  
SO ORDERED

Re: MN Theaters 2006 LLC v. Grupo Cinemex, S.A. de C.V. (Case No. 20-cv-5860)

Dear Judge Castel:

On behalf of Defendant Grupo Cinemex, S.A. de C.V. ("Grupo Cinemex"), we write pursuant to Rule 5(B) of Your Honor's Individual Rules and Practices and respectfully seek leave to file under seal one deposition transcript containing confidential non-public financial information. Grupo Cinemex respectfully requests that the Court allow it to file under seal the deposition transcript of Jorge Pena, dated October 14, 2020, Grupo Cinemex's 30(b)(6) witness. The deposition transcript was designated confidential by counsel for Grupo Cinemex because it contains discussion of nonpublic and confidential information that would harm Grupo Cinemex if publicly disclosed.

Specifically, the deposition transcript contains discussion regarding, among other things, (a) bank account statements, including specific payments reflected in those statements and the balances in these accounts, (b) loan documents and credit agreements, (c) balances of loans between Grupo Cinemex and its subsidiaries, (d) identifying information regarding certain personnel, and (e) other non-public information regarding Grupo Cinemex's assets and finances. *See Scantibodies Lab., Inc. v. Church & Dwight Co.*, No. 14cv2275 (JGK) (DF), 2016 U.S. Dist. LEXIS 154396, at \*41 (S.D.N.Y. Nov. 4, 2016) (referencing (30(b)(6) deposition transcript that had been filed under seal); *Kaplan v. Multimedia Entm't, Inc.*, No. 02-CV-00447C(F), 2005 U.S. Dist. LEXIS 40351, at \*3 (W.D.N.Y. Oct. 27, 2005) (referencing numerous exhibits filed under seal including deposition testimony); *Tese-Milner v. Diamond Trading Co.*, 2010 U.S. Dist. LEXIS 143934, at \*2 (S.D.N.Y. May 14, 2010) (noting that "financial statements" had been filed under seal); *Cumberland Packing Corp. v. Monsanto Co.*, 184 F.R.D. 504, 506 (E.D.N.Y. 1999) (noting that commonly sealed information includes "revenue information, pricing information, and the like.").

Respectfully submitted,

/s/ Daniel Pulecio-Boek  
Daniel Pulecio-Boek

cc: All counsel of record (via ECF)